

**IN THE UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO**

IN RE: **DEYSY ORTIZ CENTENO**CASE NO: **16-05502-ESL**

Debtor(s)

**Chapter 13**

- AMENDED -

**TRUSTEE'S OBJECTION TO PROPOSED PLAN CONFIRMATION UNDER SECTION 1325**

\*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **MIRIAM A MURPHY LIGHTBOURN\***Total Agreed: **\$3,000.00**      Paid Pre-Petition: **\$282.00**      Outstanding (Through the Plan): **\$2,718.00**

\*TRUSTEE'S POSITION RE CONFIRMATION UNDER U.S.C. §1325

Debtor(s) Income is (are) ☒ Under ☐ Above Median IncomeLiquidation Value: **\$0.00**Commitment Period is ☒ 36 months ☐ 60 months §1325(b)(1)(B)      General Unsecured Pool: **\$0.00**With respect to the (amended) Plan date: Jul 11, 2016 (Dkt 2)      **Plan Base: \$9,000.00**The Trustee: ☐ DOES NOT OBJECT ☒ **OBJECTS** Plan Confirmation      Gen. Uns. Approx. Dist.: 22 %

The Trustee objects to confirmation for the following reasons:

[1325(a)(6)] Payment Default Feasibility – Debtor(s) is in default with proposed plan payments, to the trustee and/or creditor(s).

First Bank, secured creditor in the case, filed an Objection to Confirmation. Docket no. 12. Creditor informed that, as of August 30, 2016, Debtor appeared to be one month (post petition) in arrears in the vehicle loan.

Debtor submitted evidence of payments made to Firstbank Puerto Rico in amount of \$315.00.

Debtor is one month, or \$150.00, in arrears with the Trustee. The pending payment pertains to the month of September 2016; which became due on the 10th day of the month.

\*OTHER COMMENTS / OBJECTIONS

NONE.

**NOTICE**

**14 day notice:** Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

**CERTIFICATE OF SERVICE:** The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(S), and to her/his/their attorney through CM-ECF notification system.

/s/ Jose R. Carrion, Esq.  
**CHAPTER 13 TRUSTEE**  
PO Box 9023884, San Juan PR 00902-3884  
Tel. (787)977-3535 Fax (787)977-3550

Date: September 12, 2016

/s/ Nannette Godreau, Esq.

Last Docket Verified: 17 Last Claim Verified: 3 CMC: NM